



1774

Docket No. TAN-347

CERTIFICATE OF MAILING

Date of Deposit: **JANUARY 2, 2008**

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Name: Theresa R. Godfrey

Signature:

Theresa R. Godfrey
H. JAY SPIEGEL & ASSOCIATES

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Junpei NATSUI, et al.

Serial No.: 10/519,188

Group: 1774

Filed: December 22, 2004

Examiner: B. Hess

FOR: THERMALLY SENSITIVE RECORDING MEDIUM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

In response to the outstanding Office Action dated October 18, 2007, for which a shortened statutory period for response of three (3) months was given, this Response is presented along with an executed Terminal Disclaimer in which Applicants agree to disclaim the terminal part of the term of any patent granted on

the present application that would otherwise extend beyond the full statutory term of prior patent no. 7,312,176. The Terminal Disclaimer has been presented along with the required Terminal Disclaimer fee under 37 C.F.R. 1.20(d).

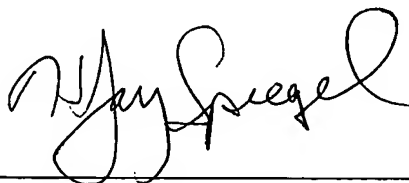
In the outstanding Office Action, the Examiner has rejected Claims 1 and 2 based upon the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over Claims 1 and 2 of co-pending application Serial No. 10/532,389, in the case of Claim 1, and in the case of Claim 2, the same ground of rejection and further in view of either one of U.S. Patent No. 5,733,843 to Minami et al. or Japanese Publication 2002-178646 to Chiuchi et al.

Subsequent to the mailing of the Office Action, application Serial No. 10/532,389 matured into U.S. Patent No. 7,312,176 on December 25, 2007. Accordingly, the Terminal Disclaimer submitted herewith is in the proper form for a Terminal Disclaimer with regard to a prior issued patent. Given presentation of the Terminal Disclaimer, the outstanding grounds of rejection have been rendered moot.

Accordingly, it is respectfully requested that the Examiner withdraw the outstanding grounds of rejection and promptly pass the application to issue.

Respectfully submitted,

H. JAY SPIEGEL & ASSOCIATES

A handwritten signature in cursive script, reading "H. Jay Spiegel", is written over a horizontal line.

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